

ORIGINAL

Decision No. 70627

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of:)
)
 GLASS TRANSPORT CO., a corporation,)
 for authority to deviate from)
 minimum rates pursuant to Section)
 3666 of the Public Utilities Code,)
 for the transportation of glass)
 fruit jars and equipment, glass)
 packer jars, glass bottles, jelly)
 glasses, jar tops, caps, discs or)
 tops, rubber jar rings, and cartons)
 for Ball Brothers Company, Inc.)

Application No. 48276
(Filed February 25, 1966)

OPINION AND ORDER

Glass Transport Co., a corporation, holds radial highway common carrier, highway contract carrier and city carrier permits. By Decision No. 69009, dated May 4, 1965, in Application No. 47376, applicant was authorized to transport glass bottles and jars, bottle carrying cartons and related articles for Ball Brothers Company, Inc., at specified rates less than the established minimum rates otherwise applicable between that company's plant in El Monte and points in Los Angeles and Orange Counties within 50 constructive miles of El Monte. The current authority is scheduled to expire with May 7, 1966. By this application, applicant seeks an extension of the above authority for an additional one-year period.

The specific rates which applicant proposes to assess for the transportation involved are set forth in Exhibit 1 of this application. These rates, which are stated in cents per 100 pounds, vary according to the distance and weight of each shipment and are less than those otherwise applicable under Minimum Rate Tariff No. 2 for the same transportation. The proposed rates are subject to the condition that charges assessed under this authority shall not be less than those which would accrue from application of the

hourly vehicle unit rates named in Minimum Rate Tariff No. 5 for such transportation.

Applicant alleges that the conditions and circumstances which prevailed at the time of the hearing on the original application for such authority still exist. It is further alleged that the schedule of rates heretofore authorized on the traffic involved has encouraged the shipper to continue to utilize for-hire transportation service from its El Monte plant in lieu of proprietary service which the shipper has established for movements from its other plants.

According to applicant, its operating costs were reduced during 1965 when its dispatcher was stationed at the shipper's plant and the necessary desk space and telephone service were furnished free of charge by the shipper. This new arrangement allows applicant to exercise maximum control over its equipment and serves to reduce idle time.

Revenue and expense data furnished by applicant indicate that the transportation performed under this authority has been profitable and reasonably may be expected to be profitable during the ensuing year.

The certificate of service shows that a copy of the verified application was mailed to California Trucking Association on February 25, 1966. The application was listed on the Commission's Daily Calendar of March 1, 1966. No objection to the granting of the application has been received.

In the circumstances, it appears, and the Commission finds, that the proposed rates are reasonable for the transportation involved. A public hearing is not necessary. The Commission concludes that the application should be granted.

In view of the impending expiration date of the current authority, the order which follows will be made effective May 7, 1966.

IT IS ORDERED that:

1. Glass Transport Co., a corporation, is hereby authorized to transport glass bottles and jars, caps, covers, discs, tops, rubber jar rings, bottle carrying cartons and related articles for Ball Brothers Company, Inc., at rates less than the established minimum rates but not less than those set forth in, and subject to the conditions specified in, Appendix A attached hereto and by this reference made a part hereof.

2. The authority herein granted shall, on and after May 7, 1966, supersede the authority granted by Decision No. 69009 and shall expire with May 7, 1967.

This order shall become effective May 7, 1966.

Dated at San Francisco, California, this 26th day of April, 1966.

Frederick B. Hallock

President

George L. Crover

Commissioners

Augusta

Commissioners

William M. Bennett

Commissioners

APPENDIX A TO DECISION NO. 70627

APPLICATION OF RATES FOR TRANSPORTATION PERFORMED

BY: GLASS TRANSPORT CO., a corporation
 For: BALL BROTHERS COMPANY, INC.

1. COMMODITIES

The rates herein apply for the transportation of the following commodities on pallets and include the return of empty pallets:

- (a) Glass bottles or jars, with or without equipment, one gallon or less in capacity.
- (b) Caps, covers, discs, or tops (other than display), nested or not nested.
- (c) Rubber jar rings.
- (d) Bottle carrying cartons, cartons for caps, closures, discs or tops (other than display), and fillers for both types of said cartons including partitions and or separators, set up or folded flat, in packages, or strapped on pallets.

2. TERRITORY

Between the El Monte plant of Ball Brothers Company, Inc., and points in Los Angeles and Orange Counties within 50 constructive miles of El Monte, said mileage to be computed in accordance with the provisions of the Commission's Distance Table No. 5.

3. RATES IN CENTS PER 100 POUNDS (See Note 1)

| Miles | | <u>Minimum Weight in Pounds</u> | | | | | |
|-------------|-----------------|---------------------------------|--------------|--------------|----------------------------|----------------------------|----------------------------|
| <u>Over</u> | <u>Not Over</u> | <u>AQ</u> | <u>2,000</u> | <u>4,000</u> | <u>10,000 (See Note 2)</u> | <u>20,000 (See Note 2)</u> | <u>36,000 (See Note 2)</u> |
| 0 | 3 | 100½ | 58½ | 46 | 27½ | 15½ | 10 |
| 3 | 5 | 101½ | 60½ | 48½ | 27½ | 15½ | 10 |
| 5 | 10 | 102½ | 61½ | 49½ | 28½ | 18½ | 11½ |
| 10 | 15 | 103½ | 64½ | 52 | 30½ | 19½ | 12 |
| 15 | 20 | 104½ | 66 | 53 | 32 | 20½ | 12½ |
| 20 | 25 | 105½ | 69 | 54 | 34 | 22 | 13 |
| 25 | 30 | 106 | 72 | 55 | 35½ | 23 | 14 |
| 30 | 35 | 106 | 74 | 57½ | 36½ | 24½ | 14½ |
| 35 | 40 | 107 | 75 | 58½ | 37½ | 26 | 16 |
| 40 | 45 | 108 | 78 | 61 | 40 | 26½ | 17 |
| 45 | 50 | 109 | 79½ | 62 | 41 | 28 | 17 |

Note 1

Neither split delivery service nor multiple lot shipment service will be provided except multiple lot shipment service will be provided on bottle carrying cartons, cartons for caps, closures, discs or tops (other than display), and fillers for both types of said cartons including partitions and or separators, set up or folded flat, in packages, or strapped on pallets.

Note 2

The minimum weights subject to this note apply except as otherwise provided in connection with applicable truckload ratings in the Governing Classification, in the Exception Ratings Tariff No. 1 or in Minimum Rate Tariff No. 2.

4. CONDITIONS

- (a) The charges assessed and herein authorized shall in no event be less in total for the vehicles used in the transportation than the charges which would apply from application of the hourly rates named in Item No. 420 of Minimum Rate Tariff No. 5 to the transportation performed. For the purposes of applying the hourly rates to said transportation, the hours shall be computed from the time that the carrier's equipment leaves the carrier's terminal at 4000 North Arden Drive, El Monte, until it returns to said terminal except that no charge shall be made for the time that the equipment is held under load at carrier's terminal overnight, on Saturdays, on Sundays, and on legal holidays.
- (b) Glass Transport Co. shall retain and preserve copies of its freight bills covering the transportation involved herein for a period of not less than three years from the dates of issuance of said bills; each such copy of its freight bills shall have attached thereto: (A) a statement of the charges computed under Minimum Rate Tariff No. 5; and (B) full information necessary to accurately determine the charges under said hourly rates.

(END OF APPENDIX A)